

It is, on this                      day of February, 2006

**ORDERED that:**

1. Pursuant to Rule 15(a) and Rule 21 of the Federal Rules of Civil Procedure:

(a) the RICO claim with respect to the pleading of the “enterprise” shall be corrected pursuant to Judge Trager’s decision and order; and

(b) Eva Friedman, Irene Gadzhiyeva, Sarah Juroviesky, Ella Rashkova, Bella Slomivc, Rita Strashnov shall be substituted for Jane Does as defendants, these being the Jane Doe Personnel Specialists’ real names; and

(c) Plaintiffs’ new claim against the existing and substituted defendants under the theory of third-party beneficiary to a prevailing wage contract is denied;

(d) the City of New York, New York City Human Resources Administration and the Honorable Verna Eggleston as Commissioner of the NYC Human Resources Administration (the “Municipal Defendants”) are joined as additional defendants; and

(e) Plaintiff’s claims against the Municipal Defendants asserted under: (i) the FLSA; (ii) under the theory of third-party beneficiary to a prevailing wage contract; and (iii) 42 U.S.C. §1983 for deprivation of the plaintiffs’ of rights, privileges and immunities protected by the U.S. Constitution and federal law, including the FLSA, are allowed; and

2. Pursuant to Rule 15(a) and Rule 21 of the Federal Rules of Civil Procedure, Plaintiffs are granted leave to file a Second Amended Complaint in this action and serve it on all parties hereto within thirty (30) days of entry of this Order; and

3. Pursuant to Rule (15) all claims contained in the Second Amended Complaint shall relate back as against the parties enumerated in each claim, including the joined and substituted parties, as the case may be, to the filing of the original complaint.

SO ORDERED,

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JOAN M. AZRACK  
United States Magistrate Judge